

REMARKS

In the application claims 14-41 and 46 remain pending. Claims 14, 19, and 34 have been amended to bring the claims into general accord with claim 46 as concerns the claimed “at least a portion of the digital content being obtained from a wide area network while the wireless local area network is not within range.” It is believed that this amendment will place the claims in better form for appeal should such action be necessary. Since this claim language appeared in previously pending claims 1 and 46 and, as such, a new search would not be required on the part of the Office, it is respectfully requested that the amendment be entered into the record of the subject application in keeping with 37 CFR § 1.116.

At this time, it is respectfully requested that the rejection of the claims be reconsidered.

Pending claims 14, 16-19, 21-25, 28, 29, 34, 36-41, and 46 stand rejected under 35 U.S.C. § 103 as being rendered obvious by the combination of Lee (U.S. Patent No. 6,728,531) in view of Haartsen (“Bluetooth – The universal interface for ad hoc, wireless connectivity.”) In response to this rejection it is respectfully submitted that Lee, when fully and fairly considered in its entirety, fails to disclose, teach, or suggest at least the claimed downloading of digital media from a computer system to an automotive playback device where the digital content is first downloaded by the computer system from a wide area network based on user preferences input into the computer system. For at least this reason, it is respectfully submitted that the rejection of the claims must be withdrawn.

Considering now Lee, while Lee may disclose at Col. 6, lines 24-35 that a user may customize the way that audio broadcasts and personal information channels are organized in a vehicle’s multimedia device (20), Lee does not, however, disclose, teach, or suggest downloading digital content to a computer system from a wide area network based on user preferences input into the computer system and then downloading that digital content to an

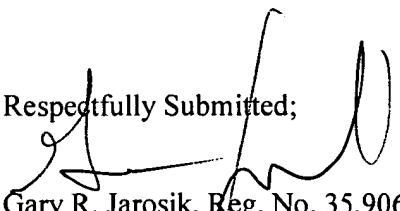
automotive storage device as is claimed. Rather, as described at Col. 14, lines 25+ of Lee, after the gateway device (30) transfers the configuration data to the vehicle's multimedia device (20), the configuration data is usable to cause *the vehicle's multimedia device (20)* to tune to a particular local or satellite channel to thereby retrieve content of interest. In the event that the channel is an Internet audio broadcast, the tuning program of *the vehicle's multimedia device (20)* will create a wireless Internet connection with the gateway (30) by sending to using a designated URL. Thus, it is evident that the system of Lee, which provides to the multimedia device (20) nothing more than the programming and data needed by the multimedia device (20) to allow *the multimedia device (20)* to tune to a broadcast channel, i.e., "configuration data," clearly fails to disclose, teach, or suggest the system and method claimed in which digital content is downloaded to a computer system from a wide area network based on user preferences input into the computer system and then downloaded from the computer system to an automotive storage device. For at least this reason (e.g., the reason that the combination of Lee and Haartsen espoused in the Office Action could only provide for the synchronization "configuration data" as opposed to the claimed digital content) the rejection of the claims must be withdrawn.

## CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

While it is not believed that any fees are due, the Commissioner is authorized to charge any fee deficiency to deposit account 50-2428 in the name of Greenberg Traurig.

Date: August 1, 2005

By:   
Respectfully Submitted;  
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